

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

VINCENT F. RIVERA,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:06-CV-0394-WKW-
)	(WO)
BOB RILEY,)	
)	
Defendants.)	

ORDER

On May 8, 2006, the Magistrate Judge filed a Recommendation (Doc. # 3) that the plaintiff's motion for leave to proceed in forma pauperis (Doc. # 2) is due to be denied and the case dismissed without prejudice as the plaintiff failed to pay the requisite \$250 filing fee upon the initiation of this case. On May 18, 2006, the plaintiff filed an Objection (Doc. # 4) to the Recommendation.

After an independent and de novo review of the record, it is the ORDER, JUDGMENT and DECREE of the Court that:

1. The Objection (Doc. # 4) is OVERRULED.
2. The Recommendation of the Magistrate Judge (Doc. # 3) is ADOPTED.
3. The plaintiff's motion for leave to proceed in forma pauperis (Doc. # 2) is DENIED.
4. The plaintiff's action is DISMISSED without prejudice.

An appropriate judgment will be entered.

DONE this the 25th day of May, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE